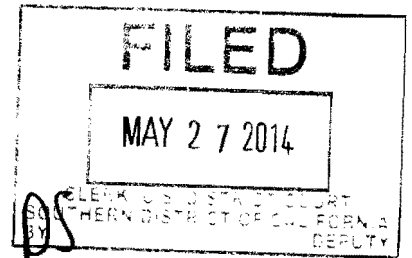


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

Luis Antonio BOTELLO-Barajas, )

Defendant. )

Magistrate Case No. **14MJ1859**

COMPLAINT FOR VIOLATION OF

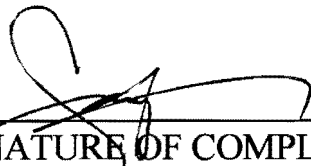
Title 18, U.S.C., Section 1544

Misuse of Passport

The undersigned complainant being duly sworn states:

On or about May 26, 2014, within the Southern District of California, Defendant, Luis Antonio BOTELLO-Barajas, did knowingly and willfully use a United States passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting U.S. Passport Card number XXXXX1969, issued to E.M. to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not E.M, and that the passport was not issued or designed for his use. All in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Sara Esparagoza, Enforcement Officer  
U.S. Customs and Border Protection

Sworn to before me and subscribed in my presence, this 27<sup>th</sup> day of May, 2014.

  
UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On May 26, 2014 at approximately 3:06 AM, Luis Antonio BOTELLO-Barajas (Defendant) applied for admission to the United States from Mexico via the pedestrian primary lanes at the San Ysidro Port of Entry. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented a United States Passport Card bearing the name E.M., gave two negative customs declarations and stated he was traveling to San Diego, California. The CBP Officer suspected Defendant was not the rightful owner of the United States Passport Card and escorted him to secondary for further inspection.

In secondary, it was confirmed that Defendant was not the rightful owner of the document presented during primary inspection. Defendant was queried by ten-digit fingerprint and photograph submission through the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS returned a match to the query, revealing Defendant's true name and identity. IAFIS also linked Defendant to immigration service records which identify him as a citizen of Mexico without legal documents to enter the United States.